



530 Union Avenue • Suite 100 • Fairfield, CA 94533
Administration Offices (707) 421-7000

April 5, 2005

Gary R. Stanton
Sheriff/ Coroner

Cathy Houck
Foreperson
Solano County Grand Jury
600 Union Avenue
Fairfield, CA 94533

Dear Foreperson Houck,

Please accept this document as an amendment to my previously provided response to the March 1, 2005 Grand Jury report. I inadvertently failed to provide a response to finding and recommendation #10 in my first response.

The Sheriff's Office concurs with finding and recommendation #5 of the March 1, 2005 Grand Jury report pertaining to the towing of vehicles. The Sheriff's Office concurs with finding #10, and disagrees with recommendation #10 of the March 1, 2005 Grand Jury report pertaining to the towing of vehicles, and provides the following response to the recommendations made.

Finding #5 - The Solano County Sheriff's Office does not contract with towing companies.

Recommendation #5 - The Department's existing policy should include a method of monitoring charges for towing and storage. The County's towing policy should be revised to show allowable charges and they should be made part of a towing contract with local companies.

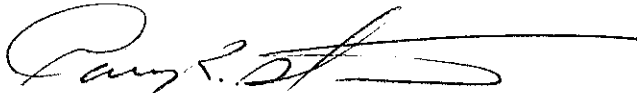
Response - The Sheriff's Office will modify General Order 6.021 to include a periodic review of fees for towing and storage. Additionally, we are in the process of developing a contract for use with local tow companies. Once staff has completed a draft contract we will request that County Counsel provide a sufficiency review and we will then implement. I anticipate completion of the contract and implementation within 90 days. I will notify the Grand Jury when modification to General Order 6.021 and contract implementation is accomplished with copies of both documents.

Finding #10 - Without exception, hearings on disputed towing and storage charges are conducted by members of the staffs of the various Solano County law enforcement departments.

Recommendation #10 – The California Vehicle Code Section 40215(4)(A) specifies that hearing officers or examiners in parking enforcement “shall not be employed, managed, or controlled by a person whose primary duties are parking enforcement, parking citation, processing, collection or issuance. The examiner shall be separate and independent from the citation collection or processing function”. In the spirit of this law, the Grand Jury recommends all agencies appoint independent hearing officers to rule on towing and storage disputes following the excellent model for parking enforcement.

Response - The Sheriff's Office disagrees with the recommendation of the Grand Jury. California Vehicle Code Section 40215 is specific to parking citations only, and has no relationship to the towing of vehicles. California Vehicle Code Section 22852 is specific to the towing of vehicles and clearly defines the process for noticing the registered owner of a towed vehicle the opportunity for a poststorage hearing to determine the validity of the storage. California Vehicle Code Section 22852(c) specifies that, *“The poststorage hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The public agency may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the storage of the vehicle”*. The Solano County Sheriff's Office is in compliance with this section.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary R. Stanton", with a long horizontal flourish extending to the right.

Gary R. Stanton
Sheriff/Coroner

Cc: Presiding Judge Foor
CAO, David Carrillo



Gary R. Stanton
Sheriff/ Coroner

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RECEIVED

March 10, 2005

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**SOLANO COUTY
GRAND JURY**

Honorable Presiding Judge Foor
Superior Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor,

The Sheriff's Office concurs with the findings of the March 1, 2005 Grand Jury report pertaining to the towing of vehicles, and provides the following response to the recommendations made.

Finding #5 - The Solano County Sheriff's Office does not contract with towing companies.

Recommendation #5 - The Department's existing policy should include a method of monitoring charges for towing and storage. The County's towing policy should be revised to show allowable charges and they should be made part of a towing contract with local companies.

Response - The Sheriff's Office will modify General Order 6.021 to include a periodic review of fees for towing and storage. Additionally, we are in the process of developing a contract for use with local tow companies. Once staff has completed a draft contract we will request that County Counsel provide a sufficiency review and we will then implement. I anticipate completion of the contract and implementation within 90 days. I will notify the Grand Jury when modification to General Order 6.021 and contract implementation is accomplished with copies of both documents.

Sincerely,

A handwritten signature in cursive script that reads "Gary R. Stanton".

Gary R. Stanton
Sheriff/Coroner

cc: CAO, John Taylor
Grand Jury, Cathy Houck, Foreperson